



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

APR 14 2004

#17

ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE NC 28280-4000

In re Application of

Laurent Benbadis et al

Serial No.: 09/700,687

Filed: February 14, 2001

Attorney Docket No.: 033339/206076

: PETITION DECISION

This is in response to the petition under 37 CFR 1.181, filed March 3, 2004, requesting withdrawal of abandonment based on timely filing of a reply.

A review of the file history shows that the examiner mailed an Office action to applicants on April 22, 2003, setting a three month shortened statutory period for reply. Upon failure to receive a reply the application was held abandoned by Notice of Abandonment mailed February 20, 2004. Applicants state that a reply was submitted on August 18, 2003, including a request and fee for a one month extension of time. Applicants provide evidence that the Office received the reply in the form of an Office date stamped return postcard. The original reply has not been located and the copy filed with the petition will be utilized in lieu thereof. In view of applicants' timely reply the Notice of Abandonment is withdrawn and the application restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further consideration.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 703-872-9306.

Bruce M. Kisliuk

Director, Technology Center 1600